

MINUTES OF THE LAFAYETTE COMMON COUNCIL

April 9, 2007

REGULAR MEETING

The Common Council of the City of Lafayette, Indiana met in regular session on Monday, April 9, 2007 at 7:00 p.m. in the City Hall Council Chambers, 20 North 6th Street, Lafayette, Indiana.

President Weast-Williamson called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the flag of our Country.

The following members were:

Present: Heide, Klinker, Meyer, Probasco, Campbell, Brown, Rhoda, Smith and Weast-Williamson.

The City Clerk stated that there was a quorum present.

City Clerk Cindy Murray and City Attorney Ed Chosnek were present.

Councilman Campbell moved to recess for A Public Hearing on Resolution 2007-06 (A Resolution Confirming the Designation of an Economic Revitalization Area for Tax Abatement – Oscar Winski Company, Inc.) Councilman Probasco seconded. No public comment was heard. Councilman Campbell moved to reconvene to the regular meeting, Councilman Brown seconded. The motion passed by unanimous voice vote.

Councilman Campbell moved to approve the minutes from the March 5, 2007 regular meeting. Councilman Meyer seconded. The motion passed by unanimous voice vote.

The Clerk stated that there were no Claims, Petitions or Communications.

The Clerk stated the following reports are available in the City Clerk's Office:

Clerk's Office Monthly –February 2007

Water Works Plant-Monthly February 2007

Water Pollution Control Monthly – February 2007/Annual 2006

Motor Vehicle Monthly – February 2007

Police Department Monthly – February 2007

Parks Department-Annual 2006

Ordinances for Second Reading:

The Clerk read Amended Ordinance 2007-03 (An Ordinance as amended adding Chapter to Title 13 of The Lafayette Municipal Code Buildings and Construction graffiti) by title only on second and final reading. Councilman Brown moved for passage, Councilman Meyer seconded. Ordinance 2007-03 amended passed 8-0 on a roll call vote on second and final reading.

Ordinances for First Reading:

The Clerk read Ordinance 2007-08 (An Ordinance to amending the Zoning Ordinance of Tippecanoe County, Indiana, to rezone certain real estate from **I3** to **GB** Landmark Properties, Inc, Petitioner, 20.02 acres at the northwest corner of McCarty and Creasy Lane, Lafayette) by title only on first and final reading. Councilman Probasco moved for passage, Councilman Smith seconded. At 7:04 p.m. Councilman Meyer left the meeting due to conflict. Joe Bumbleburg, Attorney for the petitioner, spoke regarding the proposed change. Ordinance 2007-08 passed 7-0 on a roll call vote on first and final reading.

Councilman Meyer returned to the meeting at 7:08 p.m.

The Clerk read Ordinance 2007-09 (An Ordinance to amend the Zoning Ordinance of Tippecanoe County, Indiana, to rezone certain real estate from **R1B** to **R2U**-George N. May, Petitioner, 1203 Weaver Street) by title only on first and final reading. Councilman Smith moved for passage, Councilman Brown seconded. George N. May, petitioner stated the property currently was a duplex, and this request is to correct the zoning. Ordinance 2007-09 passed 8-0 on a roll call vote on first and final reading.

The Clerk read Ordinance 2007-10 (An Ordinance for Appropriation of Local Option Highway User Tax Fund-County Wheel Tax-Fund # 249) by title only on first reading. Councilman Campbell moved for passage, Councilman Klinker seconded. Jenny Bonner, City Engineer, spoke on the list of streets for the street paving and the criteria that the Engineering Department follows to determine which streets are paved. Ordinance 2007-08 passed 8-0 on a roll call vote on first reading.

The Clerk read Ordinance 2007-11 (An Ordinance for Voluntarily Annexing Certain Lands into the City of Lafayette, Indiana-Schroeder Voluntary Annexation) by title only on first reading. Councilman Campbell moved for passage, Councilman Heide seconded. Dennis Carson, Redevelopment Director, spoke regarding the proposed annexation. Ordinance 2007-11 passed 8-0 on a roll call vote on first reading.

Councilman Campbell moved to set a public hearing on Monday, May 7, 2007 at 7:01 pm, Councilman Probasco seconded. The motion passed by unanimous voice vote.

Resolutions

The Clerk read Resolution 2007-05 (A Resolution Adopting the Official Flag for the City of Lafayette, Indiana) by title only on first and final reading. Councilman Meyer moved for passage, Councilman Probasco seconded. Brittany Oliver, President of the Mayor's Youth Council, along with other members of the Mayor's Youth Council presented the final design of the City Flag for adoption. Councilmen Campbell, Meyer and Probasco, each commended the group for a marvelous job, stating it was much appreciated. The audience applauded. Resolution 2007-05 passed 8-0 on a roll call vote on first and final reading.

The Clerk read Resolution 2007-06 (A Resolution Confirming the Designation of an Economic Revitalization Area for Tax Abatement-Oscar Winski Company, Inc) by title only on first and final reading. Councilman Brown moved for passage, Councilman Meyer seconded. Resolution 2007-06 passed 8-0 on a roll call vote on first and final reading.

Reports of Standing Committees:

Councilman Meyer reported the Ordinance Committee will meet on Wednesday April 11, 2007 at 4:30 p.m. in Council Chambers to discuss a proposed Animal Control Ordinance and invited the public to attend.

There were no Reports of Special Committees.

There was no Report by Mayor.

Reports of Councilman:

Councilman Meyer reported that Lafayette had been named on the list of the top twenty five (25) small metro areas cities to live by, Forbes Magazine.

Public Comment:

Valinda McBride, Marketing Assistant for IVY Tech Community College invited City Council members, City Officials and the public to attend the first annual Latino Festival on Saturday April 28, 2007 from the hours of 10:00 a.m. to 6:00 p.m. with the opening ceremony to begin at 11:00 a.m., on the campus of IVY Tech.

Mr. Campbell recognized a group of students from Purdue University in the audience observing the Meeting. Kim Wilson, Professor of Landscape Architecture, invited Council to attend a presentation for the Wabash Neighborhood Plan developed by the Landscape Architecture Class # 326 Junior Community Planning and Design class. The presentation will be held on Thursday May 3, 2007 from 6:30 p.m. to 8:30 p.m. at Saint Ann's Community Center on Wabash Avenue.

Terry Masterson, 1115 Central Street, presented a letter he intends to send to the paper and requested it be read into the record, As follows:

"Suppose every six months the homeowners and business owners outside of the downtown area went all along the Trolley route taking money out of the registers of each business as they went along the way and used the money to renovate their own homes and revitalize their neighborhoods. I suspect the downtown developers would say it's unfair to take their money, even if we are using it for a worthy cause. At the January meeting of the Lafayette City Council, I respectfully requested that they place discussion of the excess property tax levy known as the Trolley Tax on the agenda for the following meeting. A couple council members said it might be a good idea to see what they could do. At the February meeting, silence was deafening. I patiently sat through the March meeting and again there was silence regarding the Trolley Property Tax Levy. At the end of the meeting, I respectfully requested that they pass a resolution, placing the Trolley Tax on the ballot in the November election. I stated my belief that citizens would provide a very unambiguous answer as to what the fate of the trolley tax should be. Placing the Trolley Tax on the ballot has several advantages. Having a Trolley tax on the ballot will no doubt increase voter

turnout for our election. Our elections are generally thought of as being open, fair, clean and honest and by extension the resolution to the Trolley tax issue will be viewed the same way. This will demonstrate that business in our city is being conducted in a clean and honest manor. Finally having a decision made by the citizens themselves should end the rift between the big downtown developers and the rest of the property owners. By the end of March, the Trolley has cost us approximately one million, three hundred thousand and five hundred dollars (\$1,300, 500.) If we let it run until the end of the five years, it will have cost us one million and seven hundred thirty four thousand dollars. (\$1,734, 000.). These are conservative numbers, I just added up the cost of the drivers, the carriages and the fuel. I allowed nothing for management, share of the building, maintenance etc. So these are pretty low numbers we are talking very very big bucks. You need to ask yourselves do we really have anything to show for it or if it's adequate if we do at all. I just want to comment, it's only right that the citizens do get a voice in this, a meaningful voice where they can actually affect the outcome. After all, its these folks that lose their homes or their businesses if they cant keep up with the demands of these property tax loads and we should support the honest business man out here who have bought businesses, paid for adequate parking and pay taxes on that adequate parking. And they are deserving of our support. And I respectfully request that you strongly consider this, and I suggest the next meeting would be about the last opportunity to get it in time for this November election. Thank you and have a good evening."

With no further business to come before the Council, Councilman Campbell moved to adjourn, Councilman Probasco seconded: Time being 7:35 p.m.

Minutes prepared by Cindy Murray, City Clerk

Complete audio of meeting available in the City Clerks office